

December 2, 2013

BY ECF

Honorable William G. Young
United States District Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Courtroom 18, 5th Floor
Boston, MA 02210

Re: ***In Re: Nexium (Esomeprazole Magnesium) Antitrust Litigation***
MDL No. 2409, Case No. 1:12-md-02409

Dear Judge Young,

Defendants filed this morning a request that we modify the proposed class notice in a few instances to include the word “allegedly.” We have no objection to doing this and have enclosed with this letter, as Exhibit A, a copy of the corrected notice, highlighted to show the revisions.

For reasons previously stated (ECF Nos. 465, 522, and 557), we respectfully request that the Proposed Form of Notice and notice plan be approved immediately to ensure participation of the Class in the March 3, 2014 trial.

Respectfully Submitted,

/s/ Nathaniel L. Orenstein

Glen DeValerio (BBO #122010)
Nathaniel L. Orenstein (BBO #664513)
BERMAN DeVALERIO
One Liberty Square
Boston, MA 02109
Tel: (617) 542-8300
Fax: (617) 542-1194
gdevalerio@bermandevalerio.com
norenstein@bermandevalerio.com

Honorable William G. Young
December 2, 2013
Page 2

Todd A. Seaver (BBO #645874)
BERMAN DeVALERIO
One California Street, Suite 900 San
Francisco, CA 94111
Tel: (415) 433-3200
Fax: (415) 433-6382
tseaver@bermandevalerio.com

Liaison Counsel for the End-Payor Class

Steve D. Shadowen
HILLIARD & SHADOWEN LLC
39 West Main Street
Mechanicsburg, PA 17055
Tel: (855) 344-3298
steve@hilliardshadowenlaw.com

Anne Fornecker
Daniel Gonzales
HILLIARD & SHADOWEN LLC
919 Congress Ave., Suite 1325
Austin, TX 78701
Tel: (512) 851-8990
anne@hilliardshadowenlaw.com
daniel@hilliardshadowenlaw.com

Kenneth A. Wexler
Bethany R. Turke
Justin N. Boley
WEXLER WALLACE LLP
55 W. Monroe Street, Suite 3300
Chicago, IL 60603
Tel: (312) 346-2222
Fax: (312) 346-0022
kaw@wexlerwallace.com
brt@wexlerwallace.com
jnb@wexlerwallace.com

Honorable William G. Young
December 2, 2013
Page 3

J. Douglas Richards
Sharon K. Robertson
COHEN MILSTEIN SELLERS & TOLL,
PLLC
88 Pine Street, 14th Floor
New York, New York 10005
Tel: (212) 838-7797
Fax: (212) 838-7745
drichards@cohenmilstein.com
srobertson@cohenmilstein.com

Jayne A. Goldstein
POMERANTZ GROSSMAN HUFFORD
DAHLSTROM & GROSS LLP
1792 Bell Tower Lane
Suite 203
Weston, FL 33326
Tel: 954-315-3454
Fax: 954-315-3455
jagoldstein@pomlaw.com

Co-Lead Counsel for the End-Payor Class

CERTIFICATE OF SERVICE

I, Nathaniel L. Orenstein, hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 2, 2013:

/s/ Nathaniel L. Orenstein

Nathaniel L. Orenstein